

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Aquila, Inc.,) Application No. NG-0007.3
d/b/a Aquila (Aquila), Omaha,)
seeking to lower current)
interim delivery charge to) ORDER APPROVING PROPOSED
reflect the level of revenue) TARIFF CHANGE
deficiency currently under)
appeal in the Lancaster County)
District Court.)
Entered: November 20, 2007

O P I N I O N A N D F I N D I N G S

On or about September 6, 2007, Aquila, Inc., d/b/a Aquila (Aquila) filed Proposed Changes in Tariffs to become effective September 15, 2007. The proposed change reflected in Index No. 13 lowered the current interim delivery charge to reflect the level of revenue deficiency currently under appeal in the District Court as a result of the Commission's July 24, 2007 Order, in *In the Matter of Aquila, Inc. d/b/a Aquila Networks (Aquila), Omaha, seeking individual rate increases for Aquila's Rate Area One, Rate Area Two, and Rate Area Three*, Application No. NG-0041.

On September 24, 2007, the Public Advocate filed a Petition for Formal Intervention (Petition), requesting that the operation and effective date of the proposed change be suspended and deferred pending completion and approval of a refund plan and further discussions between the parties regarding changes to the proposed changes. On October 2, 2007, the Commission granted the Public Advocate's Petition and suspended operation of the proposed tariff change.

Pending hearing on this matter on November 5, 2007, the Public Advocate and Aquila reached an agreement on a revised Index No. 13 with an effective date of December 1, 2007, which was provided to the Commission on November 7, 2007.

Nothing in this order is intended to address nor did the parties agree to anything regarding any future refund plan to be filed by Aquila with the Commission.

Therefore, the Commission finds that the proposed tariff changes in the revised Index No. 13 agreed to by the parties shall be approved with an effective date of December 1, 2007.

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O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the proposed tariff change reflected by the revised Index No. 13 should be and is hereby approved with an effective date of December 1, 2007.

MADE AND ENTERED at Lincoln, Nebraska, this 20th day of November, 2007.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Donald L. Vap
Tim Schram

Chairman

ATTEST:

//s// Rod Johnson
//s// Frank E. Landis

Michael H. H.

Executive Director